

Appeal No. 05-19-01492-CR

IN THE  
FIFTH COURT OF APPEALS  
OF TEXAS AT DALLAS

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FILED IN  
5th COURT OF APPEALS  
DALLAS, TEXAS  
01/28/2020 6:01:13 PM  
LISA MATZ  
Clerk

ANDREW ANDERSON,  
Appellant

vs.

THE STATE OF TEXAS,  
Appellee

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On appeal from the 265th Judicial District Court of Dallas County, Texas,  
Trial No. F-1952721-R

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**MOTION FOR EXTENSION  
OF TIME TO FILE BRIEF FOR APPELLANT**

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Lynn Richardson  
Chief Public Defender  
Dallas County, Texas

Julie Jones Woods  
Chief, Appellate Division  
Dallas County Public Defender's Office

Christian T. Souza  
Assistant Public Defender  
State Bar Number 00785414  
Frank Crowley Courts Building  
133 N. Riverfront Blvd., LB-2  
Dallas, Texas 75207-4399  
(214) 653-3550 (telephone)  
(214) 875-2363 (fax)  
christian.souza@dallascounty.org

COMES NOW Appellant Andrew Anderson and respectfully submits this Motion for Extension of Time to File Brief for Appellant.

I.

Appellant was convicted of aggravated assault on October 7, 2019. Appellant received a sentence of 5 years' confinement in the Institutional Division of the Texas Department of Criminal Justice.

II.

The Reporter's Record was filed on January 10, 2020, with the Clerk's Record previously filed on December 11, 2019. Appellant's brief is due on February 9, 2020, with no prior extensions requested.

III.

Counsel respectfully provides conflicting matters as shown since January 5, 2020: the 71-page Brief for Appellant to this Court in *David Garcia v. State*, Appeal No. 05-18-01366-CR, on January 23, 2020.

In addition, counsel has the following matters pending: (1) possible Brief for Appellee in advance of oral argument and submission on oral argument in *State v. Brian Carl Jones*, Appeal No. 05-19-00927-CR, on February 11, 2020, with motion pending to postpone submission and extend the time to file Appellee's brief; (2) the Brief for Appellant in *Lewis v. State*, Appeal Nos. 05-19-01026-CR and 05-19-01027-

CR, already on second extension with a motion for third extension pending considering the Brief for Appellant currently being due on January 29, 2020; (3) the Brief for Appellant in *Frazier v. State*, Appeal No. 05-19-00849-CR, with the brief due on January 29, 2020 and a motion pending asking for a third extension; (4) the Brief for Appellant in *James Overloon v. State*, Appeal No. 05-19-00522-CR, due in this Court, with no extensions having been granted, on February 5, 2020; and (5) the Brief for Appellant in *Fabian Enrique Tucker v. State*, Appeal Nos. 05-19-01094-CR, 05-19-01095-CR, 05-19-01096-CR, and 05-19-01097-CR, currently due on February 8, 2020, with a first extension motion pending.<sup>1</sup>

WHEREFORE, PREMISES CONSIDERED, Appellant respectfully requests that this Honorable Court extend the time to file his Brief for Appellant for 30 days: from February 9, 2020 to March 10, 2020. TEX. R. APP. PROC. 10.5(b), 10.5(b), 38.6(a), 38.6(d). Appellant requests any further relief that this Court would deem appropriate.

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<sup>1</sup> The Brief for Appellant in *Fabian Enrique Tucker v. State*, Appeal No. 05-19-01095-CR, is listed on the docket as due on February 1, 2020.

Respectfully submitted,

Lynn Richardson  
Chief Public Defender  
Dallas County, Texas

/s/ Christian T. Souza  
Christian T. Souza  
Assistant Public Defender  
State Bar No. 00785414  
Frank Crowley Courts Building  
133 N. Industrial Blvd., LB-2  
Dallas, Texas 75207-4399  
Christian.souza  
@dallascounty.org  
(214) 653-3582 (*phone*)  
(214) 653-3539 (*fax*)

CERTIFICATE OF SERVICE

I hereby certify that a true copy of the foregoing motion has been sent via electronic service to the State to DCDAAppeals@dallascounty.org.

/s/ Christian T. Souza  
Christian T. Souza